Mr. He wland then mounted the witness stand and was sworn, while the spectators pushed and craned necks to get a glimpse of the witness. He said that he was sitting quietly in Secretary Wharton's box with Col. J. C. Adams, F. Gray Griswold, and Secretary

quiety in Secretary Wharton's box with Col. J. C. Alams, F. Gray Griswold, and Secretary Whatton and son, watching the pony jumping in the area.

"On that occasion did you see the defendant "sked Mr. Macdona.

"No that occasion did you see the defendant "sked Mr. Macdona.

"No that occasion did you see the defendant "sked Mr. Macdona.

"No that occasion did you see the defendant "sked to address the Court. He did not ask, he said, that the Court dismiss the charge. The defendant expected a fine, but in fixing the amount the Court would be asked to consider the social conditions of Washington. Maryland, and Virginia, which imposed an obligation on the defendant. New York does not make laws its to suit the social customs of Washington or Virginia." Answered Justice Smith, shortly.

Mr. Howand, continuing his story, said that he received a stinging blowon his face, half rose, saw the defendant standing behind him with an unbrella upraised, and guarded the unbrella with his arm as it descended, and look the skin off his arm.

"Bont the with the seed of the virginial which is a descent of the court of the face of the current of the box.

"Bont the with the seed of the state of the court of the court of the that at almost against the rear rail of the had sat almost against the rear rail of the had sat almost against the rear rail of the had sat almost against the rear rail of the had seed the seed did you receive the blow? asked to address the Court to let the fine express that fact.

Mr. Neville was congratulated by numerous offended, and I ask the Court to let the fine express that fact."

The Justices legan a long consultation. It was evident that there was a lailure to agree, and Col. Ash charge the defendant.

New York does not make laws its to suit the social customs of Washington.

New York does not make laws its to suit the social customs of Washington.

New York does not make laws its to suit the social customs of Washington.

New York does not make laws the Court of the curre of the curre of the curre of th ad sat aimost against the rear rail of the can behind which ran an alsle, and near the git-band side, where another alsle ran down the promenate in front of the box.

"Where in the face did you receive the low? asked Col. Atney.

"On the whole of the left side of the face; it ras inflamed for several hours."

Mr. Neville, who was standing by the side of is lawyer, smiled at this answer. Then Col. buey wanted to know how much excited the times was "whon Mr. Neville slapped your rece."

"I knew what was occurring." answered the But it would naturally excite one to have his face publicly slapped, "commented Col. Alney, addressing a lotus flower carved on the capital of an Egyptian column. The witness did not regly, and Col. Abney asked:

"Known Mr. Neville long?"

"Some time."

"Formerly well acquainted?"

"Yes, until a correspondence occurred which

"Formerly well acquainted?"

"Yes, until a correspondence occurred which ended our acquaintance."

Mr. Maedona asked the Court to prevent the impending testimony about that famous correspondence. "If we take up these gentlemen's letters it will occupy a week's time," he said glancing at a bundle held by Col. Abney, but the Court wanted the evidence, and soon Col. Abney had given Mr. Howland his own letter ending his "correspondence and acquaintance" with Mr. Neville. The witness distributed the letter and the Court admitted it in evidence, against the Assistant District Attorney's objection. Another letter, written on the Washington Metropolitan Club note paper, was handed to the witness, who was asked if he had ever seen a letter of which that was a copy. Mr. Howland examined the letter in evident surprise, and handed it back to Col. Abney, with the remark:

"I'vo never seen any letters written by Coleman Drayton to Mr. Neville."

The defondant and his lawyer looked at the letters hastlly, and then Col. Abney said: "I beg pardon: I handed you the wrong letter." Then another copy was handed the witness, who said it was as nearly as he could remember a copy of a letter he had received from Mr. Neville.

"Did you ever show the letter received by you, of which this is a copy?" asked Col.

you ever show the letter received by which this is a copy?" asked Col. Abney. "To whom?"
"To whom?"
"I don't think I did."
"Did you not show it to Mr. John Hunter in he Union Club?"
"I may have done so," the witness said.
"Then," said Col. Abney, speaking slowly, and after a pause, "then when you saw Mr. Neville before you in the Madison Squire Garden you knew what he was there for?"

I nositively did not," answered

Neville before you in the shortson squire car-den you knew what ho was there for?"

"I did not. I positively did not." answered the witness. I had heard that he was brag-ging all about Wasington that he—" "Never mind that," Interrupted Justice Me-Mishon.

You knew you had provoked him by let-

asked Col. Abney.
positively did not."
on had necused him of prevarication, by I had not. If I had wanted to accuse him of prevariction I would have done so to his "But you say in this letter," continued Mr. Abney, "that Mr. Neville had frequently seen Br. Fercy Dravton after that bet was made concerning which you corresponded."

"I certainly assumed that they had met. They belonged to the same Washington club." The Court stopped Col. Abney's effort to go further into this point, and the Colonel then returned to the story of the assault, and the witness insisted again that he had been struck with an umbrella.

How maky times did you strike him with "Three times."
"With that stick?" asked Col. Abney, referring to a stout stick the witness held in his

"Tee."
Then I desire to offer the stick in evidence." Col. Abney sail. Every one smiled, and that ended Mr. Howland's examination.
Col. J. C. Adams, who was in the lox at the time of the assault, was the next witness. His attention had reen attracted by the first blow, and, unning around, he had seen umbrellas and causes and hats fixing in a general confusion, he said.

and cakes and mark agrees the same the same. The testimone of F. Gray Griswold, also an occupant of the rook, was the same. He had turned around and mad seen Neville with his hat off. That and his unredta had failen inside the hog. Some one picked up the hat and gave it to Neville, who walked down the aisle to the proper made, heaving his came ochind. That couled the case for the people, and Mr. gave it to Neville, who walked down the assice test be transcensel, leaving his cane ochind.
That ender the cases for the people, and Mr. Fare, stack of collective people, and mr. In the pronounce, attent that he was standing in the pronounce, attent that he was standing in the pronounce, attent that he was standing in the pronounce, by the side of and but facing Mr. Howellard, he saw so with sing Mr. Howland's face with his open have, Mr. Howland running to his beet and a one of a flow with the tick at Mr. Neville's head, Mr. Neville caught the blow on his left arm, and his mintrella was knocked from his stand. Mr. Wewlie caught the blow on his left arm, and his mintrella was knocked from his stand. Mr. Wewlie says the same with his stick and knocked off Mr. Neville's heat, Mr. Neville, the witness said, was walking away, down the aisle to the promean lewing the second blow with the stick was strick. Some one hands then for the miss hat, and no word lesurely toward the Fourth avenue exit.

The Assistant District Attorney asked the witness if he had gone to the show to see the use-ault. He nesswered that he had not. He had tasked with Mr. Neville refore the aspand, dut it was alout horses, not face slaping.

Mr. John U. Boroum, with light tweed

cault, out it was about horses, not face slap-ling.

Mr. John C. Bornum, with light tweed transcis redded up over light tan shoes, was the best witness for the defence. He also, had seen the assault from the promenade. His testimony agreed with Mr. Chark's, but he had seen the assault from the promenade. His testimony agreed with Mr. Chark's, but he had seen Mr. Neville pince his hand on Mr. Ewiland's shoulder and attract his attention before striking him. It was Mr. "Dick" Hallace, he said, who picked up Mr. Neville's hat and gave it to him.

The defendant then took the witness stand. The vas born in county kilkenny, ireland, he said and had settled in Virginia in 1874, and treades there in the winter time.

The von go back to your native green island

o you go tack to your native green island emetimes, in winter," answered the withat is this testimony for " asked Justice

th, am about to show," said Coi Abney, "that accendant was not in Washington and id not have seen Mr. Percy Drayton ouring time Mr. Bowland says they must have treatently." the de endact was not in Washington and could not have seen Mr. Percy Drayton curing the time Mr. Howland says they must have mist frequently.

The defendant was allowed to explain that he was in Ireland, or Mr. Brayton was in Lagrand, all of the time intervening between the past game is tween Mr. Hallom and Mr. Brayton, on which the latter lost 50 to the defendant and until the Damblane races were run in Washington last May. He saw Mr. Prayton was taken ill. He had not, of course, he said, yoken to Mr. Drayton about the bot debt, as he knew Mr. Drayton had accidentally overloaded it and would ju. Mr. Howland, when atministering the estate of Mr. Drayton had accidentally overloaded it and would ju. Mr. Howland, when atministering the estate of Mr. Drayton had a time the training in the string account between the witheas and Mr. Prayton, but he witheas and Mr. Prayton but he committee the witheast with he witheast witheast with he with he witheast with he with he witheast with he witheast with he wi

and suctain the constant has ecommunity

called a flar without resenting the insult?" asked Col. Abner.

THAT SLAP COST HIM \$100.

ROBERT NETILLE FINED FOR HIS
ASSAULT UPON S. S. HOWLAND.

BIS CORNECT BIRD Not Ask for a Discharge, but Pleaded the Wrong Put Upon His CHERT'S Honor-Both Parties Testify to the Scene at the Horse Show.

Robert Neville, before the Court of Special Sessions, in the Tombs yesterday, was found guilty of assault committed on Samuel S. Howland on Nov. 17 at the Horse Show in the Mallson Square Garden, and was fined \$100.

Col. Abney, appearing for Mr. Neville, said that the defendant was prepared to plead guilty to assaulting Mr. Howland with his open hand, after having called his attention, but could not plead guilty to assault with an umbreila nor to strikling Mr. Howland without warning.

Assistant District Attorney Macdona said he could not amend the complaint as asked Col. Abney.

Assistant District Attorney Macdona said he could not amend the complaint as asked.

The Mallson Square Garden, and was fined \$100.

Assistant District Attorney Macdona said he could not amend the complaint as asked Col. Abney.

Assistant District Attorney Macdona said he could not amend the complaint as asked Col. Abney.

After a long pause the witnessed answered:

"Cossibly he might."

What did you consider your duty to be in the circumstances? Col. Abney next asked.

"I considered it my duty to give Mr. How land the head shown my letters and then I resolved it my duty to give Mr. How land the his Letter of Inc. I know that Irlends did write to him about this bout he had shown my letters and then I resolved to insult him. I resolved to do so publicly, because knew of two instances where gentlemen who had insulted them, and their friends never learned that they had resolved to be soon the membre of the manual the witness slat ped it is not a said that the stood as nearly in front of Mr. Howland as the intervening rail permitted. Mr. Howland as the intervening rail permitted. Mr. Howland his hand on Mr. Howland's shoulder and turned him toward the alsie. Mr. Howland has head to rise, and then the witness slat

"Did you expect to be arrested; asked to tice Smith.
"Heft that for Mr. Howland to decide," answered the witness.
"Could you return to your home and enter the society you and Mr. Howland are members of in Washington and Baltimore, if you had not done as you did?" asked Col. Abney.
"No," answered the witness.
That concluded the testimony, and the Justices hegan a long consultation. It was evi-

DID NOT BELIEVE THE POLICEMAN.

Dr. Budington Acquitted of Assaulting a

Burly Guardian of the Peace. Dr. William G. Budington, who was held in \$500 bail for trial in Jefferson Market Court on Nov. 25 on a charge of assaulting Police man Samuel Magrano of the West Thirtieth street station, was brought up in the Court of Special Sessions yesterday to answer to the charge. The policeman, who weighs over 200 pounds, while Dr. Budington is fifty pounds him, and that he had then knocked the Doctor down and taken him to the station house. The occasion of the trouble was the attempt of the prisoner to get to his home in the Chelses lats, in West Twenty-third street, on Thanksgiving night, when there was a fire in Corbett's furniture warehouse near by, and the crowd was being held back by the police. Magrane says that Dr. Budington, after attempting to break through the line, and, being re-Five witnesses swore to the truth of this.

The Doctor repeated the account which he gave at Jesserson Market Court. "I was stopped by the policeman on my way home." stopped by the policeman on my way home," he said, "and was told that I couldn't get through. I told him that I lived in the Chelsea. He replied with an earth that he didn't care where I lived, and, putting his chow under my chin, he pushed me back. I tried to get out of the way of his chow, and I suppose that he thought I was trying to get by him, for he struck me on the chest, knocking me down. I lost my temper, jumped up, and knocked him down with a blow in the face. When he got up he knocked me down again, handcuffed me, and took me across the street behind a fire engine. There, handcuffed as I was, he struck me twice in the face, knocking me off my feet. The firemen near by cried "Shame," and a young man offered to testify to the policeman's brutal action. The young man was thereupon arrested, and in Jefferson Market Court was fined \$10. I was taken to the station house," Two witnesses substantiated his statement that the policeman had struck him when handcuffed.

about him, among them three women, and in-sisted that he make a charge against the po-liceman. He said that he was going to sail for Nassau on Thursday, and that if he made a complaint it would necessitate his changing his plans, which was impracticable. He added that charges might be made on his return.

HALLINGER SENTENCED AGAIN.

To Die on Dec. 22-Peshall Says He Can

Cause More Delay. Yesterday, in the Jersey City Court of Oyer and Terminer, Edward W. Hallinger, the negro preacher and prize fighter, who mur-City, on April 6, 1801, was, for the fourth time. sentenced to be hung. The execution is to take place between the hours of 10 A. M. and 3 P. M. on Thursday, Dec. 22. Deputy Sheriff Maher and a constable brought Hallinger over from the jail. The murderer looked calm and self-possessed. Justice Werts, who was about to pronounce the death sentence, was considerably more nervous than the man upon whom it was to be pronounced. Charles J. Peshall. l'allinger's volunteer lawyer, called upon Prosecutor Winfield and Justice Worts. He

Prosecutor Winfield and Justice Warts. He suggested that sentence ought not to be pronounced until the opinion of the United States Court had been received. Mr. Winfield was very much provoked.

"I would like to know." he exclaimed, "if Mr. Feshall can lay a duty on every attorney in this country to obstruct justice in this case."

Mr. Winfield then moved that sentence be pronounced, and Justice Werts designated the day and the time for the execution. Hallinger remained unmoved. He went out of the centroom smiling, and while walking across the countries of the court form sinding, and while walking across the countries be broadened in the Justice Werts has sentenced him to death, and the late Justice in at he burst out laughing.

This is the second time Justice Werts has sentenced him to death, and the late Justice in staving off the execution, and he says now that Hallinger will not be langed, but will live to plant flowers over Prosecutor Winfield's grave. Mr. Peshall is preparing an application for a writ of error, by which he expects to dely the execution for an indefinite period.

Mr. Winfield says that if Mr. Peshall bothers the United States District or Supreme Court Judges any more he is very apt to get himself into serious trouble.

MORELLO HELD WITHOUT BAIL.

He is the Italian Who Killed the Man That Insulted His Wife.

Antonio Morello of 34 Mulberry street, the Italian who shot and killed Francesco Mele, in Mulberry Bend, on Sunday, for insulting his wife, was arraigned at the Tombs yesterday morning, and was held without tail to await the action of the Grand Jury. Glovanni Vaunocore of 105 Park street, and Carmine Bianchi of 71 Mulberry street, who were ar-

Bianchi of 71 Mulberry street, who were arrested as witnesses, were sent to the House of Detention in default of \$1,000 bail each. Later in the day Bianchi secured a bondsman and was liberated.

Bianchi is the man who was wounded by the first shot from Morelio's bistol. He testified that he saw the prisoner and his wie coming along the street. The man fired and the bullet grazed the witness's side. Then he saw Mrs. Morello point Mele out to her husband. The latter raised his revolver and lired three times. Mele fell deal.

Mrs. Morello, who was the cause of the murder, was in court and fainted when her husband was arraigned. She recovered as he was being ied away and threw kisses to him.

Enton's Neck Life Saving Station Quaran-

Eaton's neck life saving station on the Long Island Sound has been placed under quarantine by the Huntington Loard of Realth, asses Estella, the of the crew, is ill with a time of the crew, is ill

FREED FOXES AND 'COONS.

BUT HELD THEIR HANDS WHEN THES REACHED THE BEAR PITS. Young Marauders in Central Park Who Had Heard of College Pranks and Set Out to Imitate Them-The Statues Which They Daubed Are Not Seriously Injured

Since last Friday the Central Park police have been seeking a clue that would lead to the detection of the persons who painted the statues in the Mall on Thursday night. On Friday morning it was discovered that some one had daubed green paint on the Sir Walter Scott and Beethoven statues. Then they had turned their attention to the Terrace bridge, the flag pole on the ball ground, and the pedestal of the Schiller statue. The decorators had evidently done their work in a hurry. Here and there appeared hasty daubs of paint. On the base of the Reethoven statue the word "hurrah" was painted in large green letters. Sir Walter Scott had received a liberal share of the artist's work on the lapels of his coat. The paint was still wet, and was removed without much trouble from the

statues. Several large stains stil remain on the redestal of Beethoven's statue, however, The depredations of Thursday night had not been confined to painting the statues. Late on that night a watchman at the menagerie discovered that the lock on the fox cage had been forcibly broken, and the door of the eage left open. Of the four foxes confined in the cago three had made their escape. The fourth, on account of an injury to its hind legs. was found shivering in one corner of the cage.



THE BOYS AT THE POX CAGE. The lock on the coon cage had received the same treatment and eight large coons had disappeared. About four weeks ago four other foxes had made their escape, and when Direc-Smith heard that the cages had been broken open on Thursday night, he began to suspect that some one was at work with the

broken open on Thursday night, he began to suspect that some one was at work with the intention of injuring the menagerie. That the same persons who had used the paint brush had had a hand in breaking open the cages did not enter his mind, and he at once summoned the keepers before him and began an investigation. In order that the escaped foxes might not kill the geose and swans in the park, they were hunted dewn and shot. The coons were found in the top of a tree and returned safely to their cage.

The detectives found blotches of green paint on the walk leading from the broken eages to the Park entrance opposite the Arsenai. Just outside the entrance an empty paint pot and a brush were found. Capt. Collins, formed a theory, and gave a cheet o betective Savage and Sergeant Dillon, which resulted Saturday night in the arrest of two boys. One of the methods followed by the detectives was to find out where the paint had been purchased by visiting the stores on the Boulevard.

About half past tion Saturday night the detectives arrested art libede mann, 14 years old, as he was entering his home at 250 West Seventy-sixth street. The boy was very much irigitioned, and he confossed that he had been concerned in the statue painting. About 10 o'clock on Saturday night the organizationed, and he confossed that he had been concerned in the statue painting. About 10 o'clock on Saturday night toorge Knotloch, 16 years old, was arrested at his home. He was your father Charles Knoblock? Asked to having painted the statues. The loos were arraigned before Justice Kilbreth in the forganic Kilbreth of the elder boy. Knobloch and the boys appeared very much frightened.

"Was your father Charles Knoblock?" asked Justice Kilbreth of the elder boy. Knobloch and the boys appeared very much frightened.

"Was your father Charles Knoblock?" asked Justice Kilbreth of the elder boy. Knobloch and the Eakola flats.

"Well, my boy." said the Justice. "I am very sorry to see you here. I knew your father Charles and the formerly lived in the Ea

young man offered to testify to the policeman's brutal action. The young man was thereupon arrested, and in Jefferson Market Court was fined \$10. I was taken to the station house." Two witnesses substantiated his statement that the boliceman had struck him when hanceaffed.

Justices McMahon, Smith, and Divver, who were stiting, discharged Dr. Budington without spending a moment in consultation. As he left court a number of his friends crewded about him, among them three women, and insisted that he make a charge against the policeman. He said that he was going to sail on a poer a structure of the friends crewded about him, among them three women, and insisted that he make a charge against the policeman. He said that he was going to sail on a poer a structure of the friends crewded about him, among them three women, and insisted that he make a charge against the policeman. He said that he was going to sail on the care of a physician, who would not permit him to put his predictions in writing. I.

He said that some weeks ago the boys had formed themselves into a gang. Their purpose seemed to be to follow the example set by college boys when on a lark. The blee of painting the statues appeared to be great fun and they carried it out. Innobloch was leader of the gang. They had begun by liberating the foxes four weeks ago.

On Thursday hight after daubing the statues the boys had broken open the fox and coon cages. They thought it would be great fun to see the animals run over the snow, and that Assistant Superintendent Burns would enloy a fox hunt. Two of the boys broke the locks on the cages with a cold chisel. The other two seted as watchers to give warning on the approach of a keeper. Kroeber said the great object of the gang was to let loose the polar bears and E-klime dots, but they feared that some one would be hurt and gave up that part of the programme.

Yesterday morning Roger R. Whitman, 14 years old, of 232 West Seventy-sixth street, came to this city from Tarrytown, where he had been staying since Friday, and was brought to the police station in the Park by his father. He also confessed to the painting and cage breaking. Kroober and Whitman were arraigned before Justice Taintorin the Yorkville Police Court vesterday morning. They were released in \$300 bail each.

All the boys belong to wealthy families. Kroober is the son of the President of the Kroeber (lock Company, at 1930 Broadway, Young Kroeber is a student at columbia to the Kroeber the knowledge school. The boys say they were only on a lark. Their parents are much annoted. The boys were not allowed to run about nights, but have made the excuse that they were going to a lecture or theatre when they met at night to carry on operations in the Park.

Director Smith is very much pleased. Because of the repeated escape of animals from the menagerie the keepers would naturally be charged with carelessness or something worse, and the arrest of the real culprits removed all false suspicion. The officials at the Park say that great credit is due C

A PITTSBURGH JUDGE'S CHARGE.

He Tells the Grand Jury It Musta't Alter or PITTSBURGH, Dec. 5. - Judge Stowe, in charg-

ing the Grand Jury for the December term today, made special reference to the Homestead riots and violations of law, and incidentally raid his respects to the recent flery speech of Lawyer Irwin of St. Paul, as follows: "Principles have been holdly proclaimed in

open court of the most violent and anarchistic

opposition to well-settled law, and which, if

allowed to prevail, would be subversive of all civil government. It obviously becomes your duty, as well as mine, so far as lies withyour duty, as well as mine, so far as lies within our power, without fear or favor, strictly
and impartially, under the law, to perform the
duties imposed upon us in our present relation of Court and Grand Jury.

He also charged them: "You must distinctly understand that you have no right to
he or to make a law unto yours-eives. You are
here to assist in enforcing the law of the land,
not to after or nake it, and it is to that end
the duty of the Court and the troper law officers of the Common wealth to give you proper
instruction when the same may be necessary.
Neither court nor jury have any right to pervert or ignore the law as established to meet
any particular hardship or special emergency,
or in answer to the clamor of actual or sunposed public opinion."

Kenting Discharged from Custody, UTICA, Dec. 5.-Farmer Fitts of Cortland county having withdrawn his charge against William C. Keating for buncoing him out of \$6.000 in September, 1851, to-day Keating was

A DIFFERENCE IN COMPUTATION. J. S. CONOVER & CO.,

28 and 30 West 23d St.

in all woods, native and foreign, from our own special designs.

of every foreign make in rich enamel colorings, and Patterns for Floors, Walls, Hearths, Fac-ings, and Bathrooms.

Our new Factory with extensive facilities enables us to produce the finest class of work at greatly reduced cost.

Foundry and Factory:

526, 528, and 530 West 25th St.

CRANFORD'S BIG FIRE.

CRANFORD, N. J., Dec. 5.-It was not until

3:30 this morning that the fire which started

soon after 10 o'clock last night was under con

trol. Nearly all the stores in the town, includ-

ing the Post Office and the town rooms, are

in ruins. The fire started in a row of three-

story frame buildings known as the Miller

block. It is supposed to have originated from

opera house block, telegraphed to Elizabeth

an offer of \$500 for an engine and fire ap-

paratus. Help was also asked of Plainfield

and Westfield, and engines arrived at 11

o'clock. By that time the fire had gained

great headway, and the four stores in the Mil-

ler block were completely gutted. The high

wind forced the flames across the street to another block of frame business buildings, which soon enuglit lire and burned freely. The township has been engaged in a contri-versy with the Plainfield Water Company, which runs its mains through the town to Elizabeth and has only one hydrant connec-tion. The firemen were very much handi-

tion. The firemen were very much handle capped on this account. Three families are

IT WAS NOT SUICIDE.

The Death of Young Lucien Alces Was Caused by Accident, According to the family of Lucien Alces, who

street. West Hoboken, on Sunday morning, the young man did not commit suicide. His

revolver under his pillow. On Saturday night, after getting into bed, he remembered that he

There was a table close by on which the

directing that the evidence be taken before a

referee, has been set aside by the General Term of the Court of Common Pleas, Judge

Pryor writing the decision. The reference

defendant, who appealed.

Islon says:

was ordered against the remonstrance of the

The decision is that the Court in such a case

biles the disposition of the case by the learned

Bined by the St. Francis Xavier Alumnt.

The Alumni Association of St. Francis Xavier

College gave a dinner at the Hotel Savoy last evening to Bishop McDonnell of Brooklyn.

The lishop, who is a member of the class of

Cassins H. Rend Committed for Contempt.

obtained by the Union Square Bank, Jus-

tice McCarthy of the City Court vesterday

committed Cassius H. Hend, formerly of the Heffman House, for wilful contempt until he pays a fine equal to the judgment. Mr. Fend lives at Far Rocksway, and was not taken into custody last night.

For failure to pay a judgment of \$877.70,

cannot have a referee take evidence which the

brother. Oscar Alces, said yesterday:

The Business Part of the Town in Rules

Open Fire-places:

Mantels

eratle Statesmen Who Prophesies Straight - Republicans Who Talked Through Their Hendgenr-Where the Figures of Both Are At.

A day or two before the recent election the estimates of the respective Tammany Hall and Republican district leaders in town were sought by curious or speculative persons de siring to learn in advance, if they could, the prospects of the battle in each of the thirty districts. There was a special and unusual reason for seeking this information this year on account of the redivision of the districts and the impossibility of comparisons with the vote or registry of previous contests. The ordinary citizen did not know how this or that district had gone in the previous Presidential election and his only recourse, therefore, was to in quire of the local managers, whose familiarity with votes and boundaries qualified them to

speak with knowledge and authority.

The official vote was declared last week and a comparison of the figures it supplies with the printed predictions of the Tammany Hail leaders, made in advance of election, re-veals in a new light (if any such corroborative evidence were needed) the skill and astute ness of these able, well-informed and farsighted commanders of the big Democratic host. There are thirty Assembly districts in the city, and the majority for Cleveland The official returns make it 76,300—a difference of a couple of thousand in the whole city. Here are the predictions, the names of the men making them, and the official majority in each district: predicted in these collectively was 74,000

Scannell P. Hagan Munzinger P. Keating. Daiton D. F. Me wahen
T. J. Durin
J. J. Martin
M. Featherstone
J. R. Sextion
L. Delmour,
J. J. Kyan
W. H. Burke
W. E. Stillings
J. Sexiod
H. D. Purroy
. 74,000

Taking into consideration the variablenses of the district, and the fact that it was the only one in town in which there was a triangular light for Alderman with many political complications involved in it, John Keilly's guess plications involved in it. John Kellly's guess in the Tenth district was undoubtedly the best one. He was but 70'votes astray in a total of 10,000. William Balton was only 77 votes astray in his estimate: William E. Stillings, a new leader, 114; Barney Hourke, 142; Bernard Martin, 172; J. C. Scully, 220; Senator Roesch, 254; Jake Sesbold, 275; John R. Sexton, 228, and Police Judge Welde, 301. The four poor guessers on the Tammany Hall side were Alderman Dooling of the Seventeenth, who was about 1,000 out of the way; Judge Divver, who was 1,000; Water Purveyor Burke, who was nearly 2,000, and George Washington Plunkitt, who, in a district much smaller than the one of which Mr. Burke is leader, and one, also, in which changes of population are small, was 2,000 votes wrong. Nor was this the only political disappointment which beful Senator Plunkitt three weeks ago. His candidate for the Assembly was the only Tammany nomines to be beaten for any office in New York city this year.

But when it comes to poor guesses on the subject of the late election, the pain goes n the Tenth district was undoubtedly th

But when it comes to poor guesses on the subject of the late election, the paim goes easily to the Lepublicans. Their district lead-ers have precisely the same source of informa-tion as possessed by the Tammany Heaten-ants, and a majority of them have been much longer in the political harness, and therefore ought naturally to be surposed to have ac-quired just the sort of knowledge which only experience can impart. Here are some of their guesses.

experience can impart. Here are some of their guesses:

Martin Healy, First district, put the Democratic majority at 2,400 instead of 3,500-a difference of more than 1,000 in a district which easts only 2,000 Republican votes.

Johnny collins predicted that Cieveland want not get over 400 majority in the Fourth district, and added, to clinch it. "I won't concelle a vote over that." He had 2,874.

Johnny Simpson of the Fifth district was not sure before election out what Harrison would carry the district, but in order to be on the safe slde put Cleveland's majority at 104 votes.

Cleveland had 2,280.

John W. Jacobus gave Cleveland 500 majority in the Ninth district instead of 1,434.

Olsveland and 2,280.

John W. Jacobus gave Cleveland 500 majority in the Ninth district instead of 1,434.
Fred Gibbs gave Cleveland 600 in the Thirteenth instead of 1,725, and John H. Gunner covered three districts with his estimates, all of which were wide of the mark. He figured 1,200 Demogratic majority in the Twentieth instead of 2,500, 1,200 instead of 2,500 in the Twenty-second, and 1,300 instead of 2,500 in the Twenty-second.

mit him to put his predictions in writing. J. Thomas Steams, when asked how the Thirtieth would go, said, "I'm not a good guesser and I won't give figures." He based this sage determination on the fact that a number of new people had moved into his district. Jake-Patterson was equally non-committal when asked about the Seventh. "Figures are bad things to fool with," he said, epigrammatically. "They often rise up in the future to hand you." They rose up considerably in the Seventh district, the Democratic majority increasing 100 over 1888.

eath district, the Democratic majority increasing 700 over 1883.

About the only Republican district leader
who showed any clear conception of the political situation in his district before election
day was l'ostmaster Cornelius Van Cott of the
Eighth, who predicted a Democratic majority
there of not more than 2,000. It was 1,828.

WOOLSEY'S DEFAULT OPENED.

But on Condition that the Divorce Case Shall Be Heard by a Referee.

In opening the default by which Fannie S. Woolsey obtained an absolute divorce from Edward J. Woolsey, Justice Truax of the Sureme Court imposed yesterday several conditions, one of which is, although put in another way, that he must waive a jury trial, which he desired.

Concerning Wool-so's charges that his wife was guilty of adultery with Frank K. Sturgis. President of the Stock Exchange, and Edward M. Padelford of Baltimore, Justice Truax says: "The allegations of adultery on the part of the plaintiff contained in the answer are of the vaguest and most indefinite character, but in view of the fact that a decree of divorce has been granted against the defendant without his baying been heard in court I have come to the conclusion to coon the default herein upon the following conditions:

the following conditions:

"That the defendant consent in writing to refer the issues in this action to a referre to be appointed by the Court; that he indigment already cutered bettern stands as the indigment of the Court, numbered by this order, and if the report he in favor of the defendant the decadant may then move to wards the present judgment and enter judgment upon the said report; and upon such trial, that pishintil have the right to read the testimony read before the court at Second Term before the referre, and defendant to have the right to cross-examine the witnesses if he desires."

The Judge also says: The Judge also says:

I am not convinced of the good faith of the defendant notice include the default to be taken. The capera
show as expresentative true taken. The capera
show as expresentative true taken to the
control of the says are control of the time that
the
true. It is true that he says he looked over the Lore
two real and that he omitted to mark this case, but he
does not say he did not see the case on the calendar.

Indicted for Stealing from Macy & Co. R. H. Macy & Co. discovered several months ago that some of their clerks and driver, were defrauding them. The drivers divided the amounts collected on C. O. D. deliveries with amounts collected on C. O. D. deliveries with the clerks, and the latter reporting that the goods had been returned to the stock of the firm. Several clerks and drivers were dis-charged. Among them was William Neitzer of 344 West Thirty-seventh street. Neitzer was arrested yesterday, having been indicted for grand farceny in the second degree. In default of \$1,500 ball Neitzer was committed to the Tombs to await trial.

EUGEN D'ALBER'T: From fullest conviction THE OLD RELIABLE HOUSE, DR. HANS VON BULOW; I declare them the DE GRAAF & TAYLOR CO. ALPRED GRUNFELD: I consider them the P. TSCHAIKOVSKY; Combines with great volume of tone a rare sympathetic and noble tone color and perfect action.

discharged from custody. He has been in jall in Corlland since last May, but as he was in-dicted he cannot been to leave damage. Farmer little did cannot been to genuine field Austin lays the pounts. It is thought that Keating by I not be been to burder to burder to be the he in to burder to burder.

FURNITURE,

**Volume of tone a rare sympathetic and home tone color and perfect action.

**PURNITURE,

Interval from custody. It is has been in jall in Corlland since last May, but as he was

FOUR ROSES ALL ONE THIEF.

STORY OF THE BLANK MONEY OR-

Jewellers in New York and Other Cities A fine and large assortment of Brass, Bronze, and Iron in new and elegant designs. Sold Diamonds on the Forged Orders— They Are Recovered at the Express Office and then Stolen by an Express Agent.

Through the arrest in Booneville, Ind., a tew days ago of a clever thief and forger a story has come out in this city which, with the despatches from the West, makes an interesting yarn of a novel bit of swindling. Ten days ago Superintendent William Plimley of the Money Order Department of the New York Post Office received a letter from Postmaster C. M. Hammond of Pooneville informing him that money order blanks numbering from 20,382 to 30,386 and from 36,437 to 36,450 had been stolen from the Post Office. They were stamped with the official seal, the letter said, and the thie

The very next day there came from the Clearing House one of these money orders for the sum of \$100, made payable to Tiffany & Co. It bore a very clever forgery of Post-

would probably not hesitate to forge the Post

master Hammond's signature.
Superintendent Plimley hurried to Tiffany's and asked how they had got the money order They showed him a letter dated Booneville which read thus:

GESTLEMEN: Enclosed please find postal order fo mond shirtstud, and send at once on receipt of this letter, as it is to be a tirthday present. For private reasons I insist that you send it by I nited States Ex press in an unmarked package to, Yours respectfully Send at my risk.

the explosion of a lamp in the drug store of H. "And did you send the stud?" the superin-L. Freeman. The flames spread rapidly, and in a few moments had communicated with the tendent asked. Yes. We sent him a stone worth exactly other stores in the block.

James N. Rodgers, owner of the unfinished \$100. Is there anything wrong about the

order?" He told them what he knew, and suggested that they telegraph to Booneville and order the express company to hold the package. They did so, and received word that the package was in the safe of the express company and would be held until further orders. Sunt. Plimley sent word to the leading jewellers in town warning them that stolen money orders from Booneville were being sent through the mails and mentioning the numbers. He re-quested them to inform him if any such orders came to them. Before he had received a reply came to them. Before he had received a reply to any of these warnings a clerk brought him three money orders that had come with the batch from the Clearing House. They belonged to the stolen series and bore forged signatures. One was payable to Henry Abbott & Co. of 14 Maiden lane, and was for \$75; one to J. H. Johnston & Co., 17 Union square, for \$100, and the other to Theodore E. Starr of 204 Fifth avenue for \$75. All these jewellers, the superintendent saw at once, had sent the goods that had been asked for, and had deposited the money orders in their banks.

capped on this account. Three families are homeless.

The Miller block, where the fire started, was owned by A. F. Miller. It contained the stores of H. L. Freeman, drugs; R. Rayard, shoes; W. T. Redfern, plumber, and H. Lang, shoemaker, and living apartments. On the upper floors were F. T. Lent, architect; the town rooms, Building and Loan Association rooms, and Beadle's billiard rooms.

When the fire crossed the street it first caught the butcher shop of J. I. Irving. The double frame three-story building owned by Derly & Fretz went next. On the ground floor were the stores of J. L. Derby, groceries; Georgo Rush, baker, and the lost Onice. The mail was saved and taken to the Central Railroad station. In the next building were W. J. Hart, drugs and fancy goods; J. Hummer, groceries, and living apartments, and the family of a Mr. Haycock, who lost everything. The building was owned by Philip Jahn. The dry goods store of Clarence Steward the stores of save and a station. The terr goods store of Clarence Steward and the family of a Mr. Haycock, who lost everything. for, and had deposited the money orders in their banks.

He wentat once to Henry Abbott & Co. and asked them from whom they had obtained the order. They showed him a letter reading word for word like that which Tiffany had received, but signed "Rose White," instead of "Rose Black." Abbott had sent the writer a \$75 stud. Starr's letter was signed "Rose White," and Johnston's "Rose Jones."

On telegraphing to Bosneville it was found that the diamonds had not yet been delivered.

On Friday Superintendent I'llimley received word that the puckages were on their way the family of a Mr. Haycock, who lost everything. The building was owned by Philip Jahn. The dry goods store of Clarence Steward, adjoining, was partly burned. The furniture of the local council of the Junior Order of American Mechanics was destroyed, and a paint shop owned by Philip Jahn was also burned. The town flag pole on the village green was burned to the ground, and the town rathers fix the damage at \$150. The electric light and telegraph toles were also destroyed. This morning furilder Rodgers put on all the carpenters he could secure to complete the new stores in the opera house block in order to accommodate the burned out merchants as soon as possible. A number of wener have organized a relief corps to assist the burned out families. The nominal loss is about \$50.000, but with the exception of the Haycock family all the losers were insured. It is not thought that the actual loss will be very that the diamonds had not yet heen delivered.

On Friday Superintendent Himley received word that the packages were on their way back to New Yerk. He requested the jewellers to notify him when they received their goods, and they all promised to do so. Superintendent Himley las not heard from them yet. So much for the New York and of the story.

A few days ago Inspector Vickery of the Post Office Department arrested at Booneville as jeweller named Frank Forrest, who confessed that he had stolen the money orders from the Booneville Post Office and had sent them all over the country in payment for diamond studs. The last one had been sent to Schroeder & Co., jewellers, of Cincinnati, with a letter similar to the ones received by the New York jewellers. It was signed Rose Thorn. The superintendent of the Money Order Department of the Cincinnati Post Office found that it was a stolen order and sent Inspector Vickery to Booneville to invostigate, Vickery learned at the Booneville Fost Office that on the night this letter was mailed, Frank Forrest had come into the office several times to ask if the mail had gone yet. By comparing the handwriting of the letter with specimens of Forrest's handwriting, the guilt was fastened upon him, and when he was confronted with the evidence he made a full confession. While this investigation was going on. Postmaster Hammond of Roonevilla heard from other post offices that some of the stolen money orders had come to ewellers in those cities. One had been received in Indianapolis, two in Chicago, one in Cleveland, two in St. Louis, one in Louisville, and three in Cincinnati. They were all signed Rose White, Rose Black, Rose Jones, or Rose Thorn.

Inspector Vickery learned that Forrest was a gambler and had a manual for discussion.

was found dead in hed at his home in High "Lucien was in the habit of sleeping with a Thorn.
Inspector Vickery learned that Forrest was a gambler and had a manta for diamonds.

There was a table close by on which the weapon was lying. My brother reached for it and, in showing it under the pillow, it was accidentally discharged, the ball going through the pillow and then into my brother's head. I was the first to discover him, and I found the revolver under the pillow."

In confirmation of Oscar Alces's statement, the relatives and friends of Lucien call attention to the fact that there is no abrasion or burning of the skin, as would have been the case if Lucien had held the pistol to his head. Another fact relied upon to sustain the accident theory is that the builet took a downward accident theory is that the builet took a downward accident theory is that the builet took a downward accidence where any head of the pistol to his head. Another fact relied upon to sustain the accident theory is that the builet took a downward accidence where we have the case of Lucien was not a Cuban. His family is from how Orleans, and is of American origin. His brother says he was never engaged to be married to any one save Miss kerrigan.

REFERENCES ARE EXPENSIVE.

Plaintiffs in Elevated Railroad Damnge Cases Not to be Saddied with Them.

An order in an action of Anna Maria Doyle for damages to property by the elevated roads of the leaves the tase and the damages of the rewolver had been shirped at the condition of th or damages to property by the elevated roads other jewellers here or are an entirely differ-

A Crank With a Pistol.

ent lot.

Pougheerisie, Dec. 5 .- Thomas Donnelly made things lively here to-day. He rushed into the Surrogate's office and proposed to shoot Surrogate Dorland, who was engaged at his desk. The Surrogate excused himself for a moment and called a policeman. Donnelly, in court must subscittently pass upon, because the referee cannot decide the case. The de-cision is novel and will go to abridge a little the volume of expensive references. The dethe mean time, had started out in pursuit of the mean time, and started out in pursuit of ex-City Treasurer Frank Hasbrouck, who relised to be seen, as Donnelly had called on him once before. Officer Curran arrested Donnelly and locked him up. Donnelly was accompanied by his two little boys, whom he brought along "to see the fun," as he expressed it. Donnelly swife had some business in the courts some time ago, the outcome of which was not altogether to Donnelly's liking. His appearance to-day was in accordance with a vow made by him to get even. positions the disposition of the case by the learned single holow women operate greatly in case of the courts, but its effect in Indicting mon-scitors with the single of the case some by the Court, and again by the referrer would oppress them with a foreign of supermonte expenditure and delay.

We are to remember that it is a fundamental principle of our law that the both half incition cannot be delay in and we reflect with charges that the ideal of charge and speak justice is not yet realled in the administration of our courts. It is within our power, however, but to agravate the exit if it be incorrigible, by satification or discountering the delay and increasing the expense of judicial procedure.

Pasting for Fifty Days.

CLEVELAND, Dec. 5 .- Arthur Wiullmean began his fifty days' fast to-day under the auspices of the Western Reserve Medical University. Wiullmeau for weeks has been in versity. Milliment for wears has been in careful training, and enters the fast with a body well prepared. The fast will take place in the Y. M. C. A. building, and the entire medical faculty of the Western Reserve University will be present to observe the faster's condition at the start. The Bishor, who is a member of the class of 53, gat on the right of Mr. Peter Condon, 535 the Fresident of the association. The health of the guest of the evening was proposed by the lev. Peter Cassidy, S. J., who was an instructor at the college when Bishop McDennell was an undergravate. Among those present were Bishop Wigger of Newark, the Very Rev. James A. McFarrel, Vicar-ticeneral of Trenton; the Very Rev. P. J. McNamara of Brooklyn, Thomas F. Mechan. Hon. P. E. Callaghau, the Rev. S. A. Fargis, S. J.; Judge Hensy, Hop. John J. Delaney, the Rev. John J. Cuilen, Thomas W. Wallace, the Rev. Charles H. Parks, U. S. N., and Edward B. Amend. Archibishop Corrigan, who was expected to attend, was unable to do so owing to a slight illness.

Cassins H. Bend Committed for Contempt. tion at the start.

Sterling Silver.

In the selection of Silverware, either for use or presentation, an important feature is the character of its design, and whether any protection is guaranteed against its reproduction in a cheaper grade of goods.

Tiffany & Co.'s patterns are made of but one standard-STER-LING SILVER and COPY-RIGHTED. Each piece bears the imprint of the firm, from whom they can only be purchased.

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The Rugged Child

is largely an "outdoor" product. Fresh air and exercise 1 usually pro- duce sound appetite and sound sleep. Sickly children obtain

great benefit from

Scott's Emulsion of cod-liver oil with Hypophosphites, a fat-food rapid

of assimilation and almost as palatable as milk.

LA BRETAGNE STILL DETAINED.

When Will the Washington Moguls Let Her Passengers Off

Agent Forget of the French line said yesterday that the detention of La Bretagne was caused by a mistake of the ship's purser, who misunderstood the meaning of the word immigrant, as expressed in English. He supposed that anybody coming into a country was an immigrant, so he marked every cabla passenger, including a millionaire tourist, "immigrant." Mr. Forg't had already obtained the consent of the Treasury Popartment to pass the Bretagne, under certain con-

tained the consent of the Treasury Pepartment to pass the Bretagne, under certain conditions. Her manifest, as made out by her pursor, showed so many tomicrants that Boarding Officer Styles was connected to order her to anchor.

The detention was not caused by the alleged false certification made by Capt. Collier on his last trip that some of her allen passengers were citizens.

Mr. Foget says that only about 100 of La Bretagne's passengers out of the 570 in the "third cabin" are really lumigrants. The rest are citizens and the friends and relatives of American citizens. The third cabin on La Bretagne is a new thing. It has staterooms fitted for anticipated World's Fair visitors of moderate means, and almost as good as those of the second cabin.

The Custom House wants the term "immigrant" defined, and may hold La Bretagne until the experts at Washington decide what kind of healthy passengers may keen a ship in quarantine for twenty days.

The steamship America of the National line brought 1818 steerage passengers to this port from London vesterday. The remarkable thing about these passengers is that all of them profess to be American citizens. They were landed at Ellis Island. The majority of the Werra's 448 steerage passengers also declared that they were American citizens.

ONLY SEVEN PUPILS CAME.

And the Ludles who Bought Arundel Acad-

Agnes C. Wood, Mary A. Weed, and Gertrude Huribut, three unmarried women, who are school teachers and partners under the name of Weed, Hurlbut & Weed, have begun suit in the Superior Court against Louis and Jeannie Drake Leakey to restrain them from disposing of three promissory notes aggregating \$1,125. The Leakers kept the Arundel Academy, 81 West Ninetieth street. The three maiden ladies wanted to purchase the school in June last. They assert that the Leakeys represented that the school was prosperous and had fifty-two scholars, and that the net income derived from it was \$1,500 a year. The ladies made the purchase and took possession of the schoolhouse on Aug. 1, paying for the good will and other privileges \$2,625. They paid \$150 in cash and gave their notes for \$2,475. All the notes, except three for \$1,125 have been paid, and they now say that the school was going to pieces when the purchase was made, that saiarles had not been paid, and that when the opening day arrived—bept. 21 last—but seven pupils came.

A motion to continue an injunction restraining the sale of the remaining notes was denied yesterday by Judge Freedman, who says that the Leakeys have fully answered the charges, and that there is no such preponderance of proof in the ladies' favor as to entitle them to relief in advance of the trial. The Leakeys say that the ladies did not prosper because they did not inspire their patrons with confidence and because they had no man at the head of the school.

Recentlon for Mas Falith Matthews. maiden ladies wanted to purchase the school

Recention for Miss Edith Matthews.

Mr. and Mrs. Brander Matthews gave a re-ception yesterday afternoon at their home, 121 East Eighteenth street, to introduce their daughter, Miss Edith Matthews. The drawing rooms were elaborately decorated with flowers and choice plants. Mrs. Matthews received in a gown of pearl gray satin, trimmed
with cherry-colored velvel, while the debutants
wore a pretty dress of primrose bengaline,
trimmed with pearl emureldered mousselino
de soie. Miss Courtland Palmer, in white silk
and chiffon: Miss Mary Hayden, in pink, and
Miss Thurber, in a pretty gown of dark blue
bengaline, assisted in receiving the guests.
Some of those present were Mr. and Mrs. Carroll Beckwith. Mr. and Mrs. Bedard Watson
Glider, Mr. and Miss. Introd. Henderson, Mr.
and Mrs. John Prow. Wiss Amy Paler, Mr. and
Mrs. James Lewis, Mrs. Winthrop Pay. Mrs.
William H. Dinsmore, Miss Dinsmore, Mrs.
Gilbert, Mrs. Anderson, Mrs. Henry De Coppett, Mr. and Mrs. Herre Bactow, Mrs. Willard
Ward, Miss Mary Lay, Mrs. W. G. Davies, Miss
Davies, Mrs. Thomas Francis, Meagher, Mrs.
Burton Harrison, and Mr. W. D. Howells. flowers and choice plants. Mrs. Matthews re-

Held for Running Over a Bieyele Rider. Francis M. Early, the young man by whose horse Robert J. Hiscock was knocked down and severely injured while riding a bicycle on and severely injured while riging a pergue on-Eighth avenue, on Sunday, was held in \$1.000 bail at Jefferson Market Centry vesterday to await the result of young Hiscock's injuries. The boy, who is 15 years old and Hyes at 345 West Forty-right street, is now in Bellevue Hospital. It is not thought that his injuries are dangerous. Mr. Larly is the son of a liquor dealer at 125th street and Seventh avenue.



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